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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>441P089</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/009938</b>		U.S. APPLICATION No. (If known, see 37 CFR 1.5) <b>10/523338</b>
INTERNATIONAL FILING DATE <b>5 August 2003</b>		PRIORITY DATE CLAIMED <b>9 August 2002</b>
TITLE OF INVENTION <b>INDOLENINE COMPOUND, NEAR INFRARED ABSORBER, AND TONER CONTAINING THE SAME</b>		
APPLICANT(S) FOR DO/EO/US <b>Toshitaka Toriniwa and Shigeo Yamamura</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <b>1. Amendment Under Article 34 and English translation thereof (5-Pages), 2. Copy of Int. Search Report; 3. Copy of Forms PCT/IB/304 &amp; PCT/IB/308.</b></li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>10/523338</b>		INTERNATIONAL APPLICATION NO. PCT/JP2003/009938		ATTORNEY'S DOCKET NUMBER 441P089	
21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00  <b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				Applicant use	Office use only
				\$	
				\$	
				\$	
				\$ 1,000.00	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$ -	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	8 - 20 =	0	x \$50.00	\$ 0	
Independent claims	2 - 3 =	0	x \$200.00	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,490.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ -	
<b>SUBTOTAL =</b>				<b>\$ 1,490.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ -	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,490.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ -	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,490.00</b>	
Amount to be refunded:					\$
Amount to be charged					\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,490.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>14-0930</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;">                     Nields &amp; Lemack                      176 E. Main Street - Suite 7                      Westboro, MA 01581                      CUSTOMER NO: 42754                 </div> <div style="width: 50%; text-align: right;">                       SIGNATURE                      Kevin S. Lemack                      NAME  <u>32,579</u>                      RATION NUMBER                 </div> </div>					

10/523338

DT12 Rec'd PCT/PTO 27 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

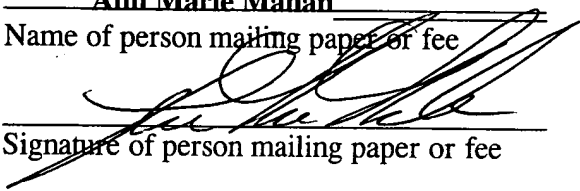
Applicants : Toshitaka Toriniwa et al.  
Serial No. : Not yet assigned (PCT/JP2003/009938)  
Filed : Herewith By Express Mail (5 August 2003)  
For : INDOLENINE COMPOUND, NEAR INFRARED ABSORBER,  
AND TONER CONTAINING THE SAME  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 441P089  
Type of paper : Transmittal Letter To The United States Designated/Elected  
Office (DO/EO/US) Concerning A Submission Under 35 U.S.C.  
371

"EXPRESS MAIL" MAILING LABEL NO ED 114678917 US  
DATE OF DEPOSIT: January 27, 2005

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop: PCT, Alexandria, VA 22313-1450.

Ann Marie Mahan

Name of person mailing paper or fee

  
Signature of person mailing paper or fee

Attorney Docket No. 441P089

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Toshitaka Toriniwa and Shigeo Yamamura**

For: **INDOLENINE COMPOUND, NEAR INFRARED ABSORBER, AND TONER  
CONTAINING THE SAME**

Commissioner for Patents  
P.O. Box 1450  
Mail Stop: PCT  
Alexandria, VA 22313-1450

Sir:

LETTER

The above-identified applicants enclose for filing the national phase of a PCT patent application (PCT/JP2003/009938) entitled "**INDOLENINE COMPOUND, NEAR INFRARED ABSORBER, AND TONER CONTAINING THE SAME**". Said attached PCT patent application includes (1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2-Pages); (2) Translation of the International Application into English: PCT Request (5-Pages), 26-Page Specification (including 2-Pages of Claims (6) and 2-Page Abstract); (3) Check in the amount of \$1,490.00 in payment of the Filing Fee; (4) Amendment Under Article 34 and English translation thereof (5-Pages); (5) Copy of the International Search Report (2-pages); (6) Copy of the Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (Form PCT/IB/308)(1-Page); and (7) Copy of the Notification Concerning Submission of Priority Document (Form PCT/IB/304)(1-Page).

**The executed Declaration will be submitted in due course.**

All correspondence concerning this application should be mailed to: **CUSTOMER NO: 42754**

**Kevin S. Lemack  
Niels & Lemack  
176 E. Main Street - Suite 7  
Westboro, Massachusetts 01581**

Respectfully submitted,



**Kevin S. Lemack  
Attorney for Applicant  
Registration No. 32,579**

Date: January 27, 2005

**EXPRESS MAIL NO: ED 114678917 US**